

# CU FAMLI Employee Guide

## Family and Medical Leave Insurance (FAMLI)

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This guide is for University of Colorado employees who work in Colorado. It contains all the information needed to understand, apply for and maintain eligible leave according to the Family and Medical Leave Insurance (FAMLI) program.

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## Introduction

In November 2020, Colorado voters approved the creation of the Family and Medical Leave Insurance (FAMLI) program by passing Proposition 118. FAMLI aims to ensure that Coloradans don't have to choose between earning a paycheck or caring for themselves or their family in a time of need.

The University of Colorado supports its valuable employee population with an approved private plan that meets (exceeds) the requirements of the state's insurance program. The university was approved for the CU FAMLI private plan in May of 2023. The CU FAMLI program began offering leave payments for eligible employees in January of 2024.

CU FAMLI provides all eligible employees a portion of their weekly salary for up to 12 weeks of leave to care for themselves or a family member, with an additional four weeks of leave for complications during pregnancy or childbirth.

## Eligibility

Review eligibility requirements prior to applying for CU FAMLI.

### Eligible Employees

All employees who live in Colorado are eligible for CU FAMLI. This includes faculty, staff, GMEs, student employees, and graduate students on appointment.

All eligible employees:

- are eligible for CU FAMLI salary benefit on the first day of employment
- receive CU FAMLI job protection after 180 days of employment
- Classified Staff are allowed 12 weeks of partial wage replacement through CU FAMLI on a rolling 12-month basis
- all other employees are allowed 12 weeks of partial wage replacement through CU FAMLI every 12-month period

### Eligible Leave

There are various reasons that constitute an eligible leave. CU FAMLI is available for:

- caring for a new child during the first year after the birth, adoption, or foster care placement of that child
- caring for a family member\* with a serious health condition
- caring for your own serious health condition
- making arrangements for a family member's military deployment
- obtaining safe housing, care, and/or legal assistance in response to intimate partner violence, stalking, sexual assault, or sexual abuse

\*Understanding that families are unique, CU will determine familial relationships by looking at the totality of the circumstances, including but not limited to:

- shared financial responsibilities
- emergency contact designations
- expectation of care created by the relationship
- cohabitation and geographical proximity
- eligible CU FAMLI reasons

## Premiums

All employees who work and live in Colorado who earn wages through CU's payroll will pay the .45% employee premiums. This premium is an after-tax deduction from your paycheck.

CU Graduate Medical Education (GME) residents/fellows are considered employees and are subject to the premium and CU FAMLl leave benefits.

## Benefit Calculation

The payment calculations for the weekly CU FAMLl benefits are dependent on the employee's current wages. CU FAMLl pays up to \$1,100 a week to eligible employees on approved leave.

Weekly Wage	Weekly Benefit	Maximum Annual Benefit	Percent of Weekly Wage
\$500	\$450	\$5,400	90%
\$1,000	\$768	\$9,216	77%
\$1,500	\$1,018	\$12,216	68%
\$2,000	\$1,100	\$13,200	55%
\$3,000+	\$1,100	\$13,200	37%

Employees can calculate their monthly income while on leave with the [Leave Calculator website](https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator) (https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator).

## Application Process

To apply for CU FAMLl leave, employees must complete an application form and provide all required documentation. Once the application is received, Employee Services will process the application, notify the employee of approval status and guide them through their entire leave.

Online applications for FAMLl are located in the employee portal.

- **Login** to [employee portal](https://my.cu.edu/) (https://my.cu.edu/).
- **Select Forms** from the *CU Resources Home* dropdown menu.
- **Select** the *Collaborative HR Services* tile.
- **Select** the *CU leave benefits* tile.
- **Select** the *Apply for leave benefits* tile.
- **Complete** the secure unity form.
- Employees will receive a confirmation email once their application has been successfully submitted.
- The Employee Services (ES) Leave Team will reach out to the employee to discuss eligibility and next steps.

## Medical Certification

CU FAML I leave applications will require a medical certification for approval.

- **Medical provider required:** A medical provider is required to fill out a medical certification for CU FAML I to be approved.
- **Confidential:** The medical certifications will only be reviewed by the ES Leave Team and in coordination with campus ADA offices. All CU FAML I documentation is held outside of personnel files and is considered highly confidential.

## Appeal Process

Per the University of Colorado FAML I plan, an employee may appeal the following events:

- failure to issue a decision on the application for plan benefits within 2 weeks of receiving a completed application
- an adverse determination of a claim for plan benefits
- failure to pay the full claim approved
- closure of a claim based on the determination that claim was not properly filed
- disqualification from plan benefits
- identification and/or collection of an overpayment

To appeal, employees must complete an appeals form found in the employee portal.

- **Login** to [employee portal](https://my.cu.edu/) (<https://my.cu.edu/>).
- **Select Forms** from the *CU Resources Home* dropdown menu.
- **Select** the *Collaborative HR Services* tile.
- **Select** the *CU leave benefits* tile.
- **Select** the *CU FAML I Appeal Form* tile.
- **Complete** the secure unity form.
- Employees will receive a confirmation email once their application has been successfully submitted.
- The Employee Services (ES) Leave Team will reach out to the employee to discuss next steps.

## CU FAML I and Other Leave

CU FAML I may either run concurrently or in conjunction with other leave programs.

### Family and Medical Leave Act (FMLA)

FMLA is a federal program that provides eligible employees with unpaid job-protected leave for 12 weeks per 12-month period. FMLA will run concurrently with CU FAML I when the need for leave meets the FMLA requirements.

### Paid Parental Leave (PPL)

PPL is a CU policy that provides specific populations with leave and compensation options during the first year after the birth, foster care placement or adoption of a child. PPL runs concurrently with FAML I and FMLA and is subject to campus-specific policies.

## Short-Term Disability (STD)

The short-term disability plan offers compensation for employees on a short-term disability leave. If enrolled in short-term disability, it will run concurrently with FMLI and FMLA. Visit the [CU Short-Term Disability website](https://www.cu.edu/node/153136) (www.cu.edu/node/153136) to learn more.

## Vacation and Sick Time Leave

Vacation and Sick Leave is accrued through employment for eligible employees. This leave can be used in conjunction with CU FMLI, FMLA and PPL as the employee desires. Visit the [CU Vacation and Sick Time Leave website](https://www.cu.edu/node/285450) (www.cu.edu/node/285450) to learn more.

## On-the-Job Injury (OJI)

OJI and/or workers' compensation benefits do not run concurrently with FMLI. OJI will continue to be administered through the employee's campus and coordination with the leave team will occur if FML is needed.

## Out-of-State Employees

Employees who live and work outside the state of Colorado should note that they are likely not eligible for CU FMLI, but that their state may have applicable paid leave laws for which they are eligible. All requests for other state-paid leave should be made directly to the state.

## Resources

[Family and Medical Leave Insurance website](https://famli.colorado.gov/) (https://famli.colorado.gov/)

[CU Short-Term Disability Plan website](https://www.cu.edu/node/153136) (https://www.cu.edu/node/153136)

[CU Vacation and Sick Time Leave website](https://www.cu.edu/node/285450) (https://www.cu.edu/node/285450)

[CU: Family Medical Leave SkillSoft course](https://universityofcolorado.skillport.com/skillportfe/main.action?path=summary/CUSTOMER_DEFINI/ED/_scorm12_cu_u00160_0001)

(https://universityofcolorado.skillport.com/skillportfe/main.action?path=summary/CUSTOMER\_DEFINI/ED/\_scorm12\_cu\_u00160\_0001)

[Leave Calculator website](https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator) (https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator)

[Employee Services CU FMLI website](https://www.cu.edu/node/324038) (https://www.cu.edu/node/324038)

## Contact Information

Website: [www.cu.edu/famli](https://www.cu.edu/famli)

Email: [leave@cu.edu](mailto:leave@cu.edu)

## Glossary

**Adverse Determination:** When you are completely denied benefits or receive a benefit in a frequency or duration less than you requested or believe that you are entitled to.

**Application Year:** The 12-month period, beginning on the first day of the week, that an employee files for FMLI benefits.

**Average Weekly Wage:** The average weekly wage paid during the quarter of the base period or alternative base period.

**Benefits:** The CU FAMLI benefits provided under this plan.

**Business Day:** Monday through Friday excluding any Colorado state holidays.

**Days:** A calendar day unless otherwise specified as a business day.

**Domestic Violence:** Any conduct that constitutes "domestic violence" as set forth in C.R.S. § 18-6-800.3(1) or C.R.S. § 14-10-124(1.3) (a) or "domestic abuse" as set forth in C.R.S. § 13-14-101(2). C.R.S. § 8-13.3-503(6).

**Eligible Employee:** Any person performing labor or services for the University of Colorado, that lives in Colorado.

**Family Member:**

- A biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee is legally acting as a parent or a person to whom the employee legally acted as their parent when they were a minor.
- A biological, adoptive or foster parent, stepparent or legal guardian of an employee or employee's spouse or domestic partner or a person who legally acted as a parent to the employee when they were a minor.
- A person to whom the employee is legally married under the laws of any state, or a domestic partner of the employee.
- A grandparent, grandchild or sibling (whether a biological, foster, adoptive or step relationship) of the employee or employee's spouse or domestic partner.
- Any other individual with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

**Health Care Benefits:** Employer-provided benefits that relate to the improvement or maintenance of the employee's health.

**Health Care Provider:** Any person licensed, certified, or registered under federal or Colorado law to provide medical or emergency services.

**In Loco Parentis:** A situation where a person is acting in place of a parent.

**Premium:** The amount paid to have and administer the benefit.

**Private Plan Administrator:** The University of Colorado, Employee Services has been chosen to administer the FAMLI benefit.

**Qualifying Exigency Leave:** Leave due to a need based on an employee's family member's active duty in the armed forces or has been notified of an impending call or order to active duty.

This can include but is not limited to providing for the care or other needs of the military member's child or other family member, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.

**Safe Leave:** Leave due to the employee or employee's family member being the victim of domestic violence, stalking, or sexual assault or abuse.

**Serious Health Condition:** An illness, injury, impairment, pregnancy, recovery from childbirth, or physical or mental condition that involves inpatient care in a medical facility or continued treatment by a health care provider.

**Sexual Assault or Abuse:** Any offense as described in C.R.S. § 16-11.7-102(3), or sexual assault, as described in C.R.S. § 18-3-402, committed by any person against another person regardless of the relationship between the actor and the victim. C.R.S. § 8-13.3-503(20).

**Stalking:** Any act as described in C.R.S. § 18-3-602. C.R.S. § 8-13.3-503(21).

**Wage Replacement Benefit:** The weekly benefit amount paid to the employee taking FAMLII leave.

**Wages:** The amount of money paid to an employee for their work, including tips, excluding any amount paid for sick or disability leave, pensions or cafeteria plans.